

REPLY COMMENTS

These technical comments were prepared on behalf of José J. Arzuaga, Petitioner for 298A for Frederiksted, St. Croix and are presented as a Reply Comments to that presented by Aurio Matos, licensee of Radio Station WNNV, Channel 288A, Aguada, Puerto Rico; Radio Redentor, Inc., licensee of Radio Station WERR, Channel 281B, Utuado, Puerto Rico; El Mundo Broadcasting Corp. licensee of Radio Station WKAQ-FM, Channel 284B, San Juan, Puerto Rico; and Estero-tempo, Inc. licensee of Radio Station WIOC, Channel 286B, Ponce, Puerto Rico; jointly referred to as commentors.

The proposed changes in §73.202(b) of the Commission's Rules include the following: Request is made to utilize Channel 298B, 107.5 MHz in substitution of present Channel 268B, 101.5 MHz in St. Thomas. To accomplish this it will be necessary to move petitioner José J. Arzuaga's requested Channel 298A, 107.5 MHz to Channel 202A, 104.3 MHz, move WVOZ from Channel 299B, 107.7 MHz to 300B and put Channel 298B, 107.5 in St. Thomas.

Petitioner requests instead of moving Channel 298B, 107.5 Mhz to St. Thomas, that Channel 298B1, 107.5 MHz be assigned for Frederiksted, V.I. To better serve the public interest, Petitioner proposes that Channel 298, 107.5 be upgraded from Class A to B1. This change can be made without modifying any other frequency assignment.

To better serve the public interest, petitioner request that instead of moving Channel 298B, 107.5 MHz to St. Thomas that the Commission adopt either of the two following proposals:

1. That Channel 298B1, 107.5 MHz be assigned for Frederiksted, U.S.V.I. without modifying any other frequency assignment. This proposal is instead of 298B for St. Thomas U.S.V.I. as proposed.
2. That allotment of Channel 298A, 107.5 MHz be assigned

To Culebra and WVOZ be moved from channel 299B, 107.7 to Channel 300B, 107.9 thereby opening up Channel 299A, 107.7 MHz. for Frederiksted

Upon adoption of proposal 1 above, petitioner agrees to file for Channel 298B1 in Frederiksted or upon adoption of petition 2 above, petitioner agrees to file for Channels 298A, 107.5 in Culebra and Channel 299A, 107.7 for Frederiksted, U.S.V.I.

Fredoriksted and Culebra Allotment would be the second full time Aural Service.

We are including copy of certification of service and we observe that the requirement to serve notice upon the following person who is a party to this proceeding and was not provide a copy of conterpro-porsal by commentators.

Clayton Knight
Box 1239
Kinghill, St. Croix U.S.V.I. 00851

His radication for allotment for an FM channel in Christiansted was filed in august of 1992.

The island town of Culebra is a municipality and is organized as all other of the 78 municipalities of Puerto Rico. The city hall is run by amayor and municipal assembly. The town is organized with local and State Plice, Fire Deparment, Postal Service, Civil Defense, Schools and others local and federal deparments.

CONCLUSION

The counterproposal of commentators is simply an exchange of channels to accomodate personal interests that are not necessarily in the publics interest and and wich, at the same time do not result any upgrade of class or in the creation of any additional available channels for the region.

Due to the public intorest in these proposed change to

Counterproposals as contained in these comments we petition the Commission to act upon the Comments and deny Counterproposals or in the event of not acting upon such, to reopen the issue for additional Counterproposals.



DISCUSSION OF PROPOSED CHANGES

WNNV-FM, Aguada, Puerto Rico

WNNV is going to increase with the change from A to B1 just .99 KW from 3.0 KW to 3.99 KW, WNNV is on the top of the best site to Aguada and the Western Part of Puerto Rico. The studio and office of WNNV are in Mayaguez, Puerto Rico. They do not have any studio or office in the Community of Service, Aguada; nor is there a local phone in Mayaguez for the Aguada residents the only telephone numbers listed are: 833-7940, 834-7770 and 833-7100 all for Mayaguez exchanges.

It appears that WNNV wants to increase the signal for the Mayaguez Metro Area. To eliminate multipath on the East and South East. Where the growth areas of Mayaguez are located and provoke the immigration to the San Juan Metro Area of the only big competitor of a total of two (2) for the same format, ie: WERR with religious programming.

WKAQ-FM San Juan, Puerto Rico

WKAQ the leading station for year's in the San Juan Metro Area want's now to cover the second largest market, Ponce, with city grade contour. They have the alternative to move to the best site for the San Juan Metro Area, "El Yunque Peak" 3,496 ft. without moving any channel and thus increase the coverage and area of service.

WIOC-FM, Ponce, Puerto Rico

The only interest of WIOC to change frequency is to change site and overlap with two sister stations WIOA, San Juan, WIOB, Mayaguez. At the present the most powerfull and bigger FM Network in Puerto Rico under the same ownership (Esterotempo). This does not seem to be in the public interest rather it seems to be a monetary interest.

*See contour Profile Graphs between proposed site and Ponce.

WVNX-FM, Charlotte Amalie, Saint Thomas

Should WVNX move to 107.5, this would eliminate the creation of a Channel B1 for Frederiksted or the creation of two Class A channels, one for Frederiksted and one for the isolated island of Culebra. This would provide a second full time aural service for both of these communities, compared with WVNX which would provide a 13th aural service *if assigned to Charlotte Amalie, U.S.V. I.

* See "Tabulation of Charlotte Amalie Broadcast facilities included in this reply comments.

TABULATIONS OF CHARLOTTE AMALIE BROADCAST FACILITIES

CALL	COMMUNITY	CHANNEL & CLASS
WVWI (AM)	Charlotte Amalie, VI	1000 KHz.
WVWI (AM)	Charlotte Amalie, VI	1000 HHz. (5.00 KW D/1.00 KW N)
WGOD (AM)	Charlotte Amalie, VI	1090 KHz. (0.25 KW D)
WSTA (AM)	Charlotte Amalie, VI	1340 KHz. (1.00 KW D)
WIVI (FM)	Charlotte Amalie, VI	241 B1
WGOD (FM)	Charlotte Amalie, VI	250 B
WTBN (FM)	Charlotte Amalie, VI	271 B
WIYC (FM)	Charlotte Amalie, VI	282 B
WVGN (FM)	Charlotte Amalie, VI	287 B
WBNBTV	Charlotte Amalie, VI	10
WBNBTV (CP)	Charlotte Amalie, VI	10
WTJX-TV	Charlotte Amalie, VI	12
New App	Charlotte Amalie, VI	17
WIUJ (FM)	Charlotte Amalie, VI	215 D
WVNX (FM)	Charlotte Amalie, VI	246 B

DISCUSSION OF PROPOSED CHANGES

WERR-FM, Utuado, Puerto Rico

It is the wish of WERR to change its city of license from Utuado, Puerto Rico to Gurabo, Puerto Rico. The Joint Commentators propose first local service for Gurabo, Puerto Rico, which proposal is for a first local service for Gurabo, which proposal is third in order of importance as specified in Section 307(b) of the Communications Act as amended.

Gurabo is part of the Caguas Statistical Metropolitan Area *which is served by two (2) FM Stations WVJP-FM and WPRM, San Juan with all office and studio facilities located in Caguas, plus two (2) AM and two TV outlets. Gurabo is located just 2.7 miles NE of Caguas. This would be the seventh outlet in the Caguas S.M.S.A.

At present, WERR is the only FM service for Utuado for which it is licensed and also for the neighboring communities of Jayuya and Adjuntas. There is one service for Utuado, none for Jayuya and one for Adjuntas. The region of Utuado, Jayuya and Adjuntas is underserved, compared to other areas. Contrary to that indicated by the coverage map prepared by Bromo Communications and submitted on behalf of joint commentators, Utuado would be left without not only city grade coverage but also would fall well outside of the 1 mv/m contour, which calculated on the basis of the Commission's 2-10 mile radial toward Utuado would fall 27.4 miles from Caguas or 18.6 miles short.**However, radial cal-

* SMSA Census map included

** See contour profile graph between Proposed site and Utuado

culated the full distance to Utuado indicates Utuado would actually receive just 0.1 mv/m signal.

1. Utuado, Population	34,980
2. Jayuya, Population	15,525
3. Adjuntas, Population	19,451

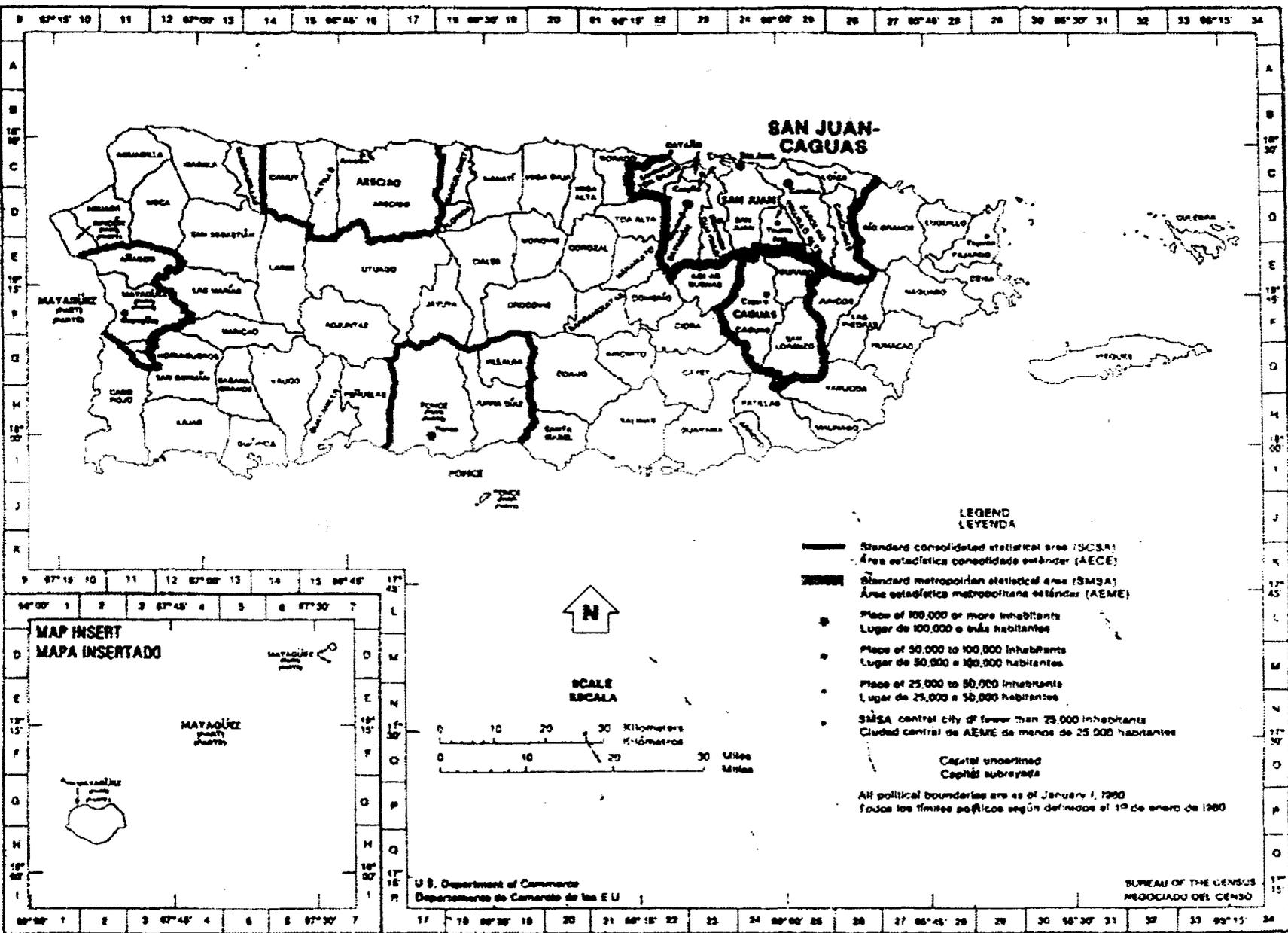
When the geography of the region is considered, it is noted that Utuado and Jayuya sit on the bottom of a cup with surrounding mountains forming the sides. Present site is, as it were, on the rim. It is this geographical condition which isolates these communities and access to radio services.

It is apparent that WERR desires to bring to completion its move to the San Juan - Caguas area where there are already 14 FM outlets. **Some 10 years ago its main control and studios were moved to San Juan. Recently an office in the community of Utuado was eliminated. The next proposed step would leave this area abandoned as far as FM service, thereby disrupting the regional allotments.

** There are 12 FM, 15 AM and 9 TV outlets in San Juan and 2 FM, 2 AM and 2 TV in the Caguas Metropolitan Statistical areas.

*** No New FM Allotment for isolated Utuado was presented to replace the only FM channel to be vacated by the proposed immigration to Gurabo.

EXHIBIT 1



VIRGIN ISLANDS
OF THE UNITED STATES

Bureau of the Census
Department of Commerce

* 1990 Population Totals *

This table provides final 1990 census population counts for the Virgin Islands of the United States, its three major islands, subdistricts, and towns.

Constitutional Unit	Number of Persons
Virgin Islands	101,809
St. Croix Island	50,139
St. John's Hope Village subdistrict	1,643
Christiansburg subdistrict	3,199
East End subdistrict	1,740
Frederiksted subdistrict	6,046
Northeast subdistrict	5,405
Northwest subdistrict	4,828
Old Farm subdistrict	11,685
Southcentral subdistrict	7,425
Southwest subdistrict	7,840
St. John Island	3,504
Central subdistrict	621
Coral Bay subdistrict	363
Cruz Bay subdistrict	2,469
East End subdistrict	51
St. Thomas Island	48,166
Charlotte Amalie subdistrict	20,589
East End subdistrict	5,927
Northern subdistrict	6,404
Southern subdistrict	4,668
Tutu subdistrict	9,084
Water Island subdistrict	172
West End subdistrict	1,322
Charlotte Amalie town	12,331
Frederiksted town	2,295
Frederiksted town	1,064

FORM: D-69
PAGE 1 OF 3PUERTO RICO
1990 Population TotalsBureau of the Census
Department of Commerce

----- (030891)

| This table provides final 1990 census population counts for Puerto Rico and
| its municipios. These counts are not suitable or intended for redistricting;
| the Bureau of the Census will provide redistricting counts at the block level
| for Puerto Rico in June 1991.

G O V E R N M E N T A L U N I T

CODE	NAME	Number of Persons
ST 72	PUERTO RICO -----	3,522,037
CO 72 001	Adjuntas Municipio -----	19,451
CO 72 003	Aguada Municipio -----	35,911
CO 72 005	Aguadilla Municipio -----	59,335
CO 72 007	Aguas Buenas Municipio -----	25,424
CO 72 009	Aibonito Municipio -----	24,971
CO 72 011	Añasco Municipio -----	25,234
CO 72 013	Arecibo Municipio -----	93,385
CO 72 015	Arroyo Municipio -----	18,910
CO 72 017	Barceloneta Municipio -----	20,947
CO 72 019	Barranquitas Municipio -----	25,605
CO 72 021	Bayamón Municipio -----	220,262
CO 72 023	Cabo Rojo Municipio -----	38,521
CO 72 025	Caguas Municipio -----	133,447
CO 72 027	Camuy Municipio -----	28,917
CO 72 029	Canóvanas Municipio -----	36,816
CO 72 031	Carolina Municipio -----	177,806
CO 72 033	Cataño Municipio -----	34,587
CO 72 035	Cayey Municipio -----	46,553
CO 72 037	Ceiba Municipio -----	17,145
CO 72 039	Ciales Municipio -----	18,084
CO 72 041	Cidra Municipio -----	35,601
CO 72 043	Coamo Municipio -----	33,837
CO 72 045	Comerío Municipio -----	20,265
CO 72 047	Corozal Municipio -----	33,095
CO 72 049	Culebra Municipio -----	1,542

This table provides final 1990 census population counts for Puerto Rico and its municipios. These counts are not suitable or intended for redistricting; the Bureau of the Census will provide redistricting counts at the block level for Puerto Rico in June 1991.

(03089)

G O V E R N M E N T A L U N I T		Number of Persons
CODE	NAME	
CO 72 051	Dorado Municipio	30,71
CO 72 053	Fajardo Municipio	36,88
CO 72 054	Florida Municipio	8,68
CO 72 055	Guánica Municipio	19,98
CO 72 057	Guayama Municipio	41,58
CO 72 059	Guayanilla Municipio	21,58
CO 72 061	Guaynabo Municipio	92,88
CO 72 063	Gurabo Municipio	28,73
CO 72 065	Hatillo Municipio	32,70
CO 72 067	Hormigueros Municipio	15,21
CO 72 069	Humacao Municipio	55,20
CO 72 071	Isabela Municipio	39,12
CO 72 073	Jayuya Municipio	15,52
CO 72 075	Juana Díaz Municipio	45,19
CO 72 077	Juncos Municipio	30,61
CO 72 079	Lajas Municipio	23,27
CO 72 081	Lares Municipio	29,01
CO 72 083	Las Marías Municipio	9,30
CO 72 085	Las Piedras Municipio	27,89
CO 72 087	Loíza Municipio	29,30
CO 72 089	Luquillo Municipio	18,10
CO 72 091	Manatí Municipio	38,69
CO 72 093	Maricao Municipio	6,20
CO 72 095	Maunabo Municipio	12,34
CO 72 097	Mayagüez Municipio	100,37
CO 72 099	Moca Municipio	32,92
CO 72 101	Morovis Municipio	25,28
CO 72 103	Naguabo Municipio	22,62
CO 72 105	Naranjito Municipio	27,91
CO 72 107	Orocovis Municipio	21,15

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| for Puerto Rico in June 1991.

(0308)

G O V E R N M E N T A L		U N I T	Number Person
CODE	NAME		
CO 72 109	Patillas Municipio -----		19,
CO 72 111	Peñuelas Municipio -----		22,
CO 72 113	Ponce Municipio -----		187,
CO 72 115	Quebradillas Municipio -----		21,
CO 72 117	Rincón Municipio -----		12,
CO 72 119	Río Grande Municipio -----		45,
CO 72 121	Sabana Grande Municipio -----		22,
CO 72 123	Salinas Municipio -----		28,
CO 72 125	San German Municipio -----		34,
CO 72 127	San Juan Municipio -----		437,
CO 72 129	San Lorenzo Municipio -----		35,
CO 72 131	San Sebastian Municipio -----		38,
CO 72 133	Santa Isabel Municipio -----		19,
CO 72 135	Toa Alta Municipio -----		44,
CO 72 137	Toa Baja Municipio -----		89,
CO 72 139	Trujillo Alto Municipio -----		61,
CO 72 141	Utuado Municipio -----		34,
CO 72 143	Vega Alta Municipio -----		34,
CO 72 145	Vega Baja Municipio -----		55,
CO 72 147	Vieques Municipio -----		8,
CO 72 149	Villalba Municipio -----		23,
CO 72 151	Yabucoa Municipio -----		36,
CO 72 153	Yauco Municipio -----		42,

***** END OF LISTING

PUBLIC INTEREST BENEFITS

Section 307(b) of the Commissions Act of 1934, as amended, assigns the Commission the task of providing a "fair and equitable distribution of radio services". In allotting FM frequencies, the Commission established, in order of importance, these priorities to determine whether particular allotments are in the public interest:

1. First full-time aural service;
2. Second full-time aural service;
3. First local service;
4. Other public interest matters.

7/ See Notice of Proposed Rule Making, DA 92-1368, released November 12, 1992, relating to RM-8026 in MM Docket 92-245.

8/ See Notice of Proposed Rule Making, DA 92-1396, released November 17, 1992, addressing RM-8098 in MM Docket No. 92-247.

REVISION OF FM ASSIGNMENT POLICIES AND PROCEDURES, 90 F.C.C. 2d 88,
91 (1982)

The Commission amended its rules to allow FM and television licensees and permittees to specify new communities or license in a rulemaking context, without facing the risk of losing an existing allotment. Amendment of Commission's Rules Concerning Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870, 66 RR 2d 877 (1989) (the "Community of License Order"). The Commission decided to use the same four priorities to "...compare the proposed allotment plan to the existing state of allotments for the communities involved" to determine which would result in a "preferential arrangement of allotments." Id. at 882. On reconsideration of the Community of License Order, the Commission acknowledges that "provision of first local service is the highest of our allotment priorities which remains in any significant degree unsatisfied. Amendment of Commission's Rules Concerning Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7096 (1990) (the "Reconsideration Order").

MM DOCKETS #92-245 AND
92-444 92-247
ARZUAGA/RRI/EMBC/EI/MATOS
VARIOUS COMMUNITIES IN
U.S. VIRGIN ISLAND AND PUERTO RICO
JANUARY 1993

TECHNICAL EXHIBIT

JOSE J. ARZUAGA
BOX 980
QUEBRADILLAS, PUERTO RICO 00678
(809) 895-2725

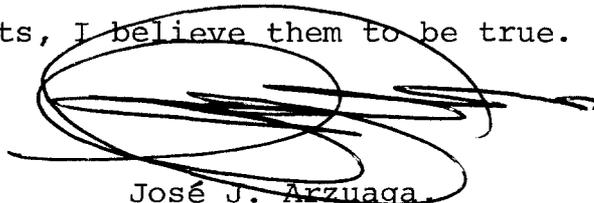
ENGINEERING STATEMENT

JOSE J. ARZUAGA, PETITIONER

This Engineering Statement has been prepared on behalf of JOSE J. ARZUAGA, Petitioner; who request a allotment of Ch. 298B1 107.5 MHz. to Frederiksted, St. Croix U.S. Virgin Island.

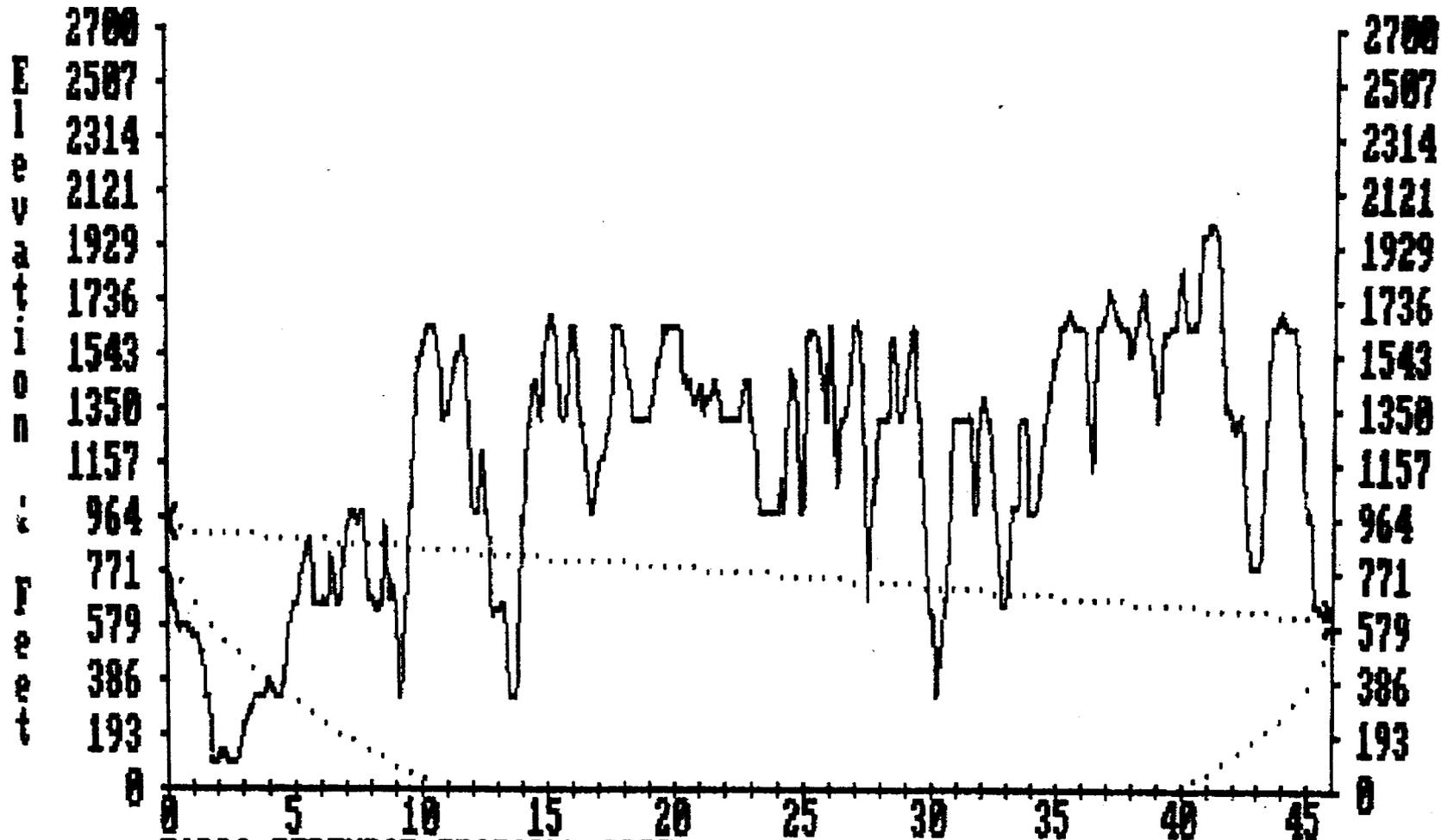
I, JOSE J. ARZUAGA, certify that I am a Consulting Radio and T.V. Engineer, that my qualifications are know to the Federal Communications Commission and I prepared this statement.

I further state that the calculations and exhibits contained herein were prepared by me personally or under my direction and that all facts contained therein are true of my knowledge except where stated to be on information or belief, and as those facts, I believe them to be true.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

José J. Arzuaga,
E1-01309

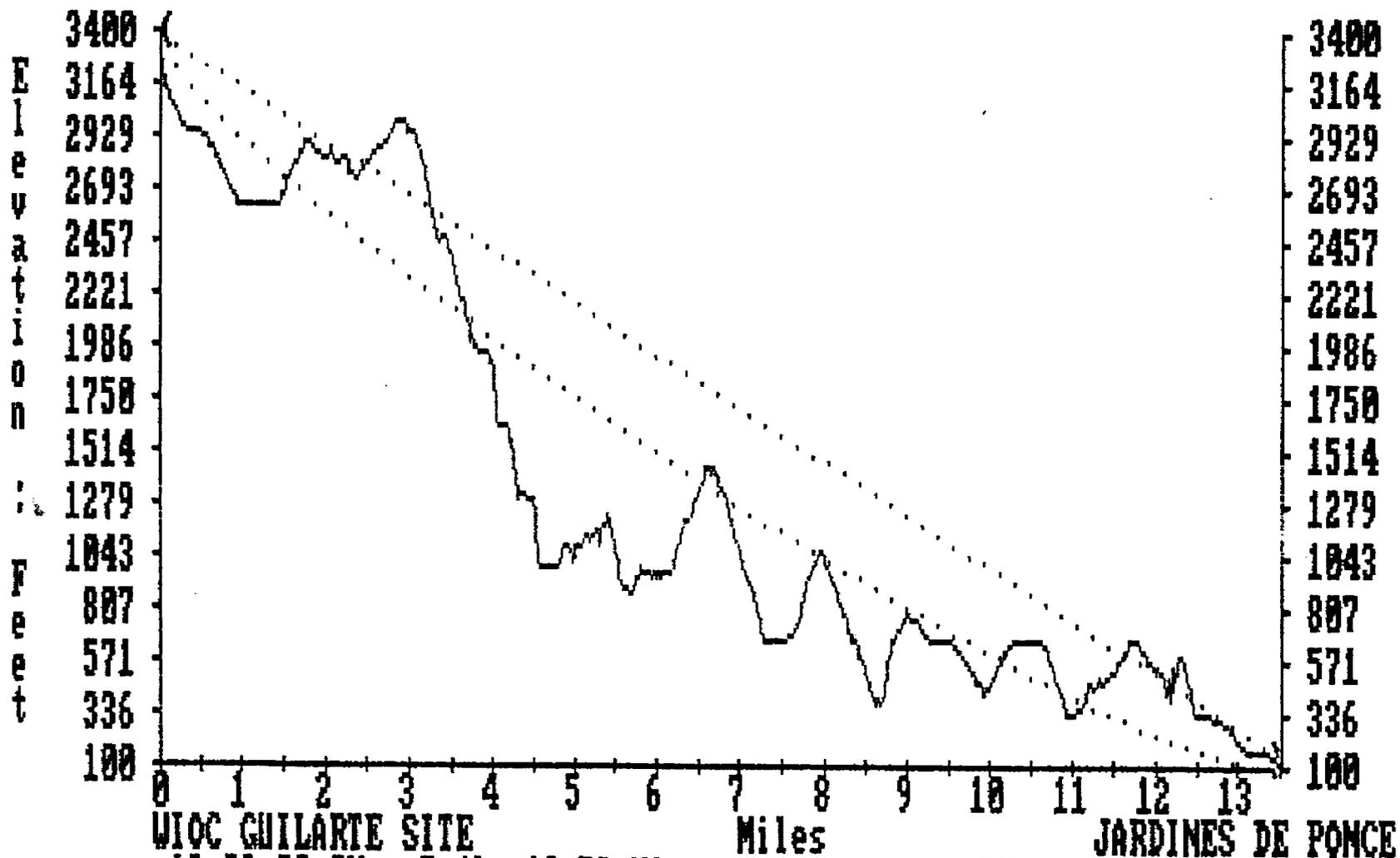
Date: January 18, 1993



RADIO REDENTOR PROPOSED SITE
 18-17-25.0N Path: 45.96 Mi.
 066-00-00.0W Freq: 100 MHz
 Elev: 823 Ant.(AGL): 100

Miles

UTUADO, P.R.
 18-16-12.0N
 066-42-05.0W
 Elev: 600 Ant.(AGL): 10



WIOC GUILARTE SITE

18-08-00.0N
066-46-00.0W
Elev: 3281

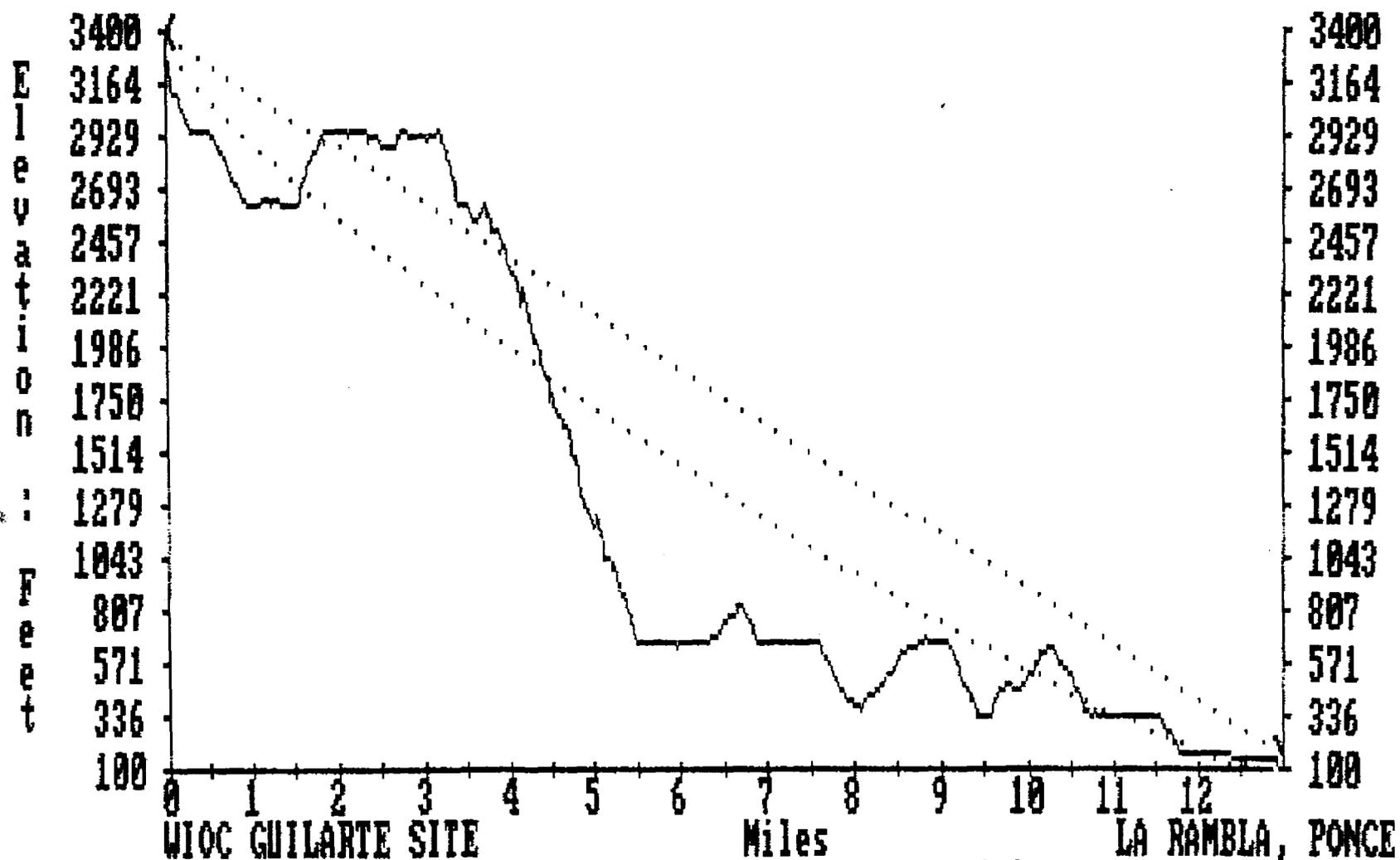
Path: 13.52 Mi.
Freq: 100 MHz
Ant.(AGL): 100

Miles

JARDINES DE PONCE

K = 4/3
F = 1
Elev: 144

18-02-20.5N
066-35-10.5W
Ant.(AGL): 10



WIOC GUILARTE SITE

18-08-00.0N
 066-46-00.0W
 Elev: 3281

Path: 12.99 Mi.
 Freq: 100 MHz
 Ant.(AGL): 100

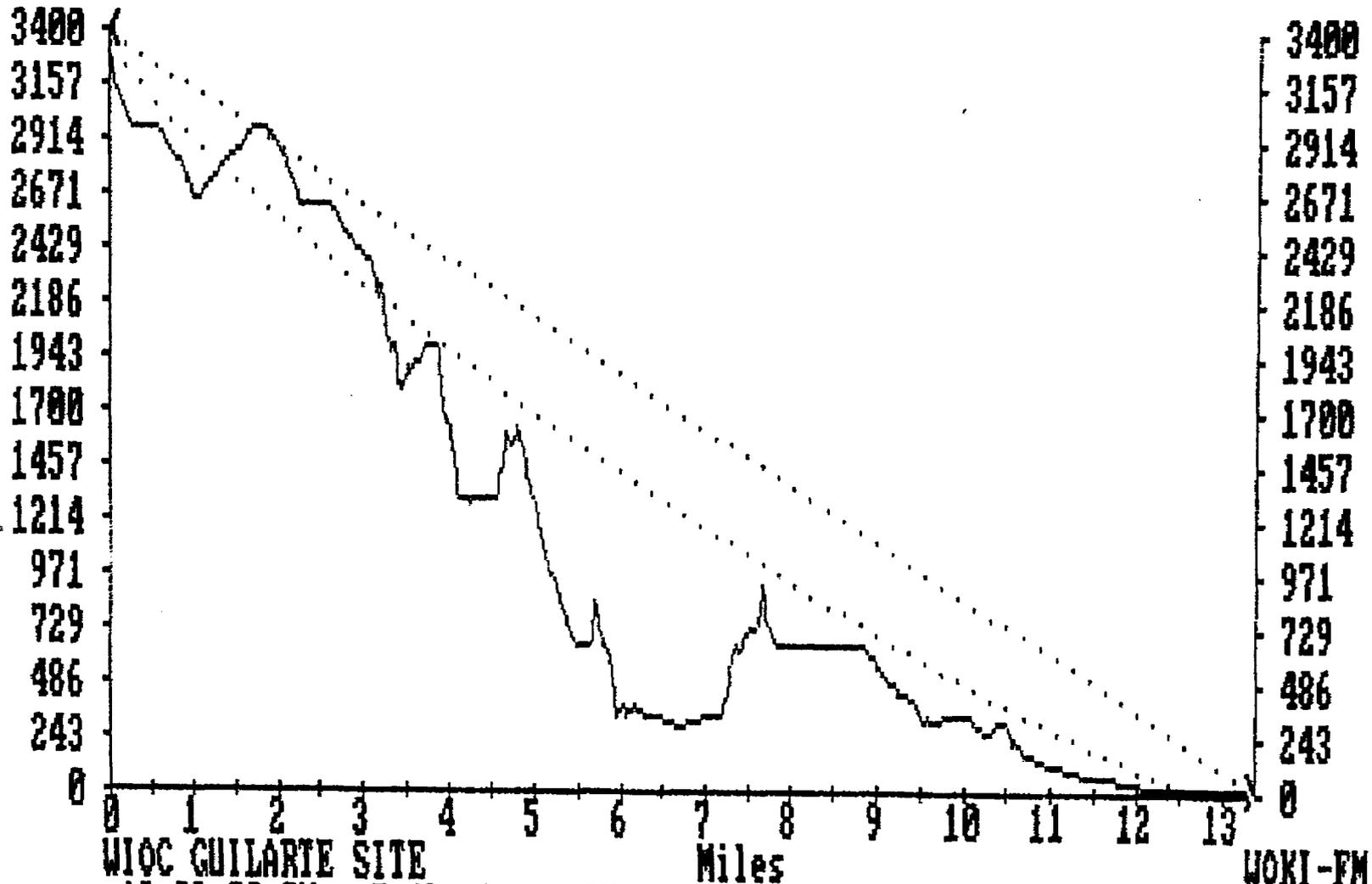
Miles

LA RAMBLA, PONCE

K = 4/3
 F = 1
 Elev: 151

18-01-47N
 66-36-06W
 Ant.(AGL): 10

Elevation : Feet



WIOC GUILARTE SITE

18-08-00.ON
066-46-00.OU
Elev: 3281

Path: 13.38 Mi.
Freq: 100 MHz
Ant.(AGL): 100

Miles

K = 4/3
F = 1
Elev: 8

WOKI-FM

17-59-26.ON
066-37-43.OU
Ant.(AGL): 10